

REMARKS

The office action of February 14, 2006, has been carefully considered.

It is noted that the specification is objected to for failing to provide proper antecedent basis for the claimed subject matter.

The Examiner requires election of one of five species, to which the application will be limited should no generic claim be found allowable.

In connection with the Examiner's objection to the specification, applicant has amended the specification to clarify what the engagement members are. Relative to the hole referred to in claim 1, since the flange 14 is part of the guide rail 12, if the hole is in the flange it is by necessity in the guide rail. Paragraph [0035] of the specification discusses an embodiment having holes in the guide rail. It is thus submitted that proper antecedent basis is present for the claimed subject matter.

In view of these considerations it is respectfully submitted that the objection to the specification is overcome and should be

withdrawn.

Relative the requirement for election of species, applicant elects Species I drawn to Figs. 1-5 and on which claims 1, 2, 4, 5, 9 and 11-13 read. At present, claims 1, 2, 4 and 11-13 are generic for all of the species mentioned by the Examiner.

Applicant respectfully traverses the election requirement. The inventive concept is to provide an assembly that provides a temporary safety space in the elevator hoistway by preventing movement of the car or counterweight along guide rails. The different species identified by the Examiner are merely different modifications of the stop bar and it is submitted that the number of species would not require an unduly extensive or burdensome search and therefore all of the species should be considered in this application

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 06-2143.

11596-26

Respectfully submitted,

By



Klaus P. Stoffel
Reg. No. 31,668
Wolff & Samson PC
One Boland Drive
West Orange, New Jersey 07052
(973) 530-2086

Dated: April 14, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on April 14, 2006.

By:


Klaus P. Stoffel

Date: April 14, 2006